THE INDIAN CHILD WELFARE ACT AND MODEL COURT - WILL THE TWAIN EVER MEET?

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Every law school graduate is familiar with the "nutshell series." For the dependency units in the Offices of Public Defender and Legal Defender, as well as Juvenile Court Judicial officers and others interested in esoteric subjects, this is not meant to be a "everything you've always wanted to know about the Indian Child Welfare Act (ICWA) or Model Court but were afraid to ask" article. To adequately cover the many aspects of ICWA alone without any reference to Model Court would take days. This is merely a general overview from this writer's perspective.

The Indian Child Welfare Act found at 25 U.S.C. § 1901 *et. seq.* was enacted in 1978 to protect the interests of Indian families and the tribe's interests in their children.[1] The Act does not apply to domestic relations, criminal, or delinquency matters. It applies only to "child custody proceedings" defined as foster care placements, termination of parental rights, preadoptive placement, and adoptive placement. When a tribe intervenes or otherwise participates in these proceedings, it is to protect *tribal* interests and to ensure that the requirements of ICWA are met and not necessarily the individual interests of any other party.

Best Interests of the Child. Everyone who has been involved in the dependency/severance process for more than five minutes knows that the overriding consideration in any child welfare case is the best interest of the child. *However*, it is important to all to recognize that the "best interest of the child" referenced in section 1902 of the Act when applied in ICWA cases is different from that attributed to Anglo-American children. Under ICWA, what is best for an Indian child is presumed to be to maintain ties with his/her Indian tribe, culture and family.[2]

Jurisdiction. Under the Act, an Indian Tribe has exclusive jurisdiction over children who live on the reservation or are wards of the tribal court *even if the child does not live on the reservation.*[3] However, when state dependency or severance proceedings regarding a child living off the reservation are filed, the tribe and state court have concurrent[4] but presumptively tribal[5] jurisdiction with the Indian tribe being granted the absolute right to intervene in the state court proceedings.[6] Under certain circumstances, the tribe may move to transfer jurisdiction of the case to the tribe[7] which *must* be granted absent the veto of a parent or the tribe or absent "good cause to the contrary."

The Bureau of Indian Affairs Guidelines (BIA Guidelines) found at 44 Fed. Reg. 67,584 help to define and interpret ICWA. The Guidelines do not have the force of law, but all courts consult and follow the Guidelines.[8]

ICWA can be a trap for the unwary and uneducated. If its provisions are not followed, any judicial act can be either void or voidable.

Who Is An Indian Child? An Indian child as defined by 25 U.S.C. §1903(4) is an unemancipated person under the age of 18 years whose biological or adoptive parent is a *member* of a recognized Indian tribe, and the child is either enrolled or eligible for enrollment in the tribe. [9] Note that the Act does not insert "enrolled" in front of "member" when referring to the parent. Indian

Tribes are the final arbiters of membership,[10] and in some tribes, a person is a "member" of the tribe simply by being born to an Indian parent. Most tribes require an enrollment procedure whereby the individual applies for enrollment and must satisfy tribal requirements for membership, including descendency (being descended from a tribal member) or blood "quantum," or percentage of Indian blood. Tribal requirements for a certain blood "quantum" vary. *Note* that ICWA applies even if one of the parents is a non-Indian[11] if the ICWA requirements are otherwise met. Note further that "Indian parent" does not include an unwed father who has not established or acknowledged paternity.[12]

Once a parent is determined to be a member of a recognized Indian band, the next step is to determine if the child is either enrolled or eligible for enrollment. If enrolled, the child will have an enrollment number. To determine eligibility for enrollment, again, the tribe is the final arbiter of this factor. Simply because a parent or Indian custodian may be a member of the tribe does not automatically mean that the child will be eligible for enrollment. The blood quantum requirement again comes into play, and if the child does not have sufficient quantum to satisfy tribal requirements, the child is not eligible for enrollment, and the Act does not apply.

Notice to the Tribe, Parent, or Indian Custodian. Under the Act if a child is even suspected of being an Indian child, the Act applies,[13] and the tribe and the parent or Indian custodian must receive notice as prescribed by the Act. This means service by registered mail on the tribe, parent, or Indian custodian. An up-to-date list of all recognized Indian bands and their addresses can be found in the March, 1999, edition of the ***Federal Register***. Petitioners (usually the Department of Economic Security) in dependency and termination of parental rights cases should realize that many tribes have several offshoots, e.g., Apache, Kiowa Apache, etc. with corresponding addresses. Again, if the correct tribe is not properly noticed, the Petitioner has failed to obtain good service on the tribe. Any Petitioner, case manager, or Assistant Attorney General who does not *actively* investigate possible Indian involvement or who conceals knowledge of Indian involvement does so at their peril.

No foster care placement or severance hearing may be held unless at least ten (10) days' notice is given to the tribe, *parent, or Indian custodian*, and the tribe, parent, or Indian custodian have an absolute right to an additional twenty days' notice to prepare for the hearing.[14] What most people overlook is that this notice applies not only to the tribe, but to the Indian parent and/or custodian as well.

Intervention. The tribe has an absolute right to intervene in any child custody proceeding. [15] Court permission is not required. Upon intervening or even upon notification of the proceedings, the tribe has a right to participate, and notice of every hearing, staffing, and even a change of the child's placement from one foster home to another must be given to the tribe.

Burden of Proof in ICWA Dependency and Severance Proceedings. The burden of proof in ICWA cases is higher than under state law. In Arizona non-ICWA dependencies, the burden is by a preponderance of the evidence, while in ICWA dependencies, the burden is clear and convincing.[16] In addition, it must be proved through *qualified* expert testimony that continued custody by the Indian parent would result in serious emotional or physical damage to the child.

In Arizona non-ICWA termination of parental rights cases, the burden of proof is clear and convincing, while in ICWA severances, the burden is beyond a reasonable doubt,[17] with the Petitioner being required to prove through *qualified* expert testimony that continued custody by the parent is

likely to result in serious emotional or physical damage to the child.

Active Efforts. Unlike non-ICWA dependencies and severances which require only reasonable/diligent efforts to reunite the family, ICWA requires that the state/Petitioner make *active* efforts to provide remedial services and rehabilitative programs to prevent the breakup of the Indian family.[18] "Active" means exactly what it says: the case manager cannot get away with giving the phone numbers of "ComCare" (or whatever the RHBA happens to be this week), drug rehab, or other facilities to Indian parents and expect that to pass muster as "active efforts," much the same as was held in *Mary Ellen C. v. DES*[19] regarding the attempted termination of the parental rights of the mother on the grounds of mental illness.

Expert Testimony. Finding an expert qualified under ICWA can be problematic. According to (D.4) of the BIA Guidelines, the following characteristics are most likely to meet the criteria: (1) a member of the Indian Child's tribe who is recognized by the tribal community as knowledgeable in tribal customs as they pertain to family organization and childrearing practices; (2) a lay expert witness having substantial experience in the delivery of child and family services to Indians, and extensive knowledge of prevailing social and cultural standards and childrearing practices within the Indian child's tribe, and (3) a professional person having substantial education and experience in the area of his or her specialty. This expert is required to speak specifically to the issue of whether continued custody by the parents or Indian custodian is likely to result in serious physical or emotional damage to the child.

The Arizona court, as well as other appellate courts, have held that " . . . special knowledge of Indian life is not necessary where a professional person has substantial education and experience and testifies on *matters not implicating cultural bias.*"[20] "Matters implicating cultural bias" involve cultural mores and knowledge of Native American/specific tribal customs as they relate to child care, etc. In *Rachelle S.*, the expert involved was a physician specializing in and testifying concerning shaken baby syndrome. The court found that he was able to answer the ultimate question required by the Act and the Guidelines: whether continued custody by the parent would result in serious emotional or physical damage to the child. Additionally, in *Maricopa County No. JS-8287*, the court found that the *tribal* social worker qualified as an expert under ICWA. This writer suggests that very few DES case managers have the necessary training and expertise to qualify as ICWA experts. The witness's employment as a DES case manager is not enough: for social workers to be qualified as ICWA expert witnesses, they must possess expertise beyond the normal social worker qualifications.[21]

Placement Preferences. This is another problem area when dealing with Native American children. According to the Act,[22] if placement with the parent is not appropriate, a child must be placed in one of the following (listed in order of importance) *absent good cause to the contrary*: (1) a member of the Indian child's extended family; (2) a foster home licensed, approved, or specified by the Indian child's tribe; (3) an Indian foster home licensed or approved by an authorized non-Indian licensing authority; or (4) an institution for children approved by an Indian tribe or operated by an Indian organization which has a program suitable to meet the individual child's needs. Section 1915(b) also requires that the child *shall* be placed in reasonable proximity to the parent's home and should take into account any special needs of the child. One case holds that if the child is placed at a great distance from the parent, this constitutes a de facto termination of the father's parental right of "reasonable visitation."[23] However, the court can override the requirement of proximity to the

parents if the child requires placement at a distant location.[24] This writer opines that this approach also applies in non-ICWA cases.

The best interests of the child require placement, when possible, in the Indian community and/or in an Indian home[25] even if the Indian child has had no previous contact with his/her Indian heritage.[26]

"Good cause to the contrary" includes three factors found at Section F.3 of the BIA Guidelines: (1) the request of the biological parents or the child when the child is of sufficient age; (2) the extraordinary physical or emotional needs of the child as established by testimony of qualified expert witnesses, *or* (3) the unavailability of suitable homes that meet the preference criteria. Again, CPS case managers are required to actively seek out Native America relatives, and if none can be found, they must look to Native American placements in other tribes.

With respect to the second requirement, it is important for juvenile court practitioners and judicial officers to recognize that the "extraordinary physical or emotional needs of the child" are for the most part limited to " . . . highly specialized treatment services that are unavailable in the community where the families who meet the preference criteria live."[27] The bonding of the child to his/her non-Indian caregiver or the availability of better schooling have been rejected for the most part.[28]

Transfer of Jurisdiction from State to Tribal Court. At almost any stage of the proceeding, the tribe may move to transfer jurisdiction from the state court to the tribal court. Pursuant to Section 1911(b) of the Act, in any child custody proceeding involving a child *not domiciled or residing on the reservation,* the state court *shall* transfer jurisdiction to the tribal court absent good cause to the contrary and absent objection by *either* parent or the tribe.[29] Note that, under the Act, the objecting parent need not be the Indian parent. This has occurred in Arizona when the child was placed on the reservation with the paternal grandmother, and all but the non-Indian natural mother believed that the child would be better served by having the case transferred to the tribal court.[30]

The parent has an *absolute veto* over transfer to the tribal court[31] – even if the parent happens to be low functioning and has had the assistance of a court appointed guardian ad litem throughout the proceedings.[32]

The best interests of the child also may be a consideration in determining whether to transfer a case from state to tribal court. Although all courts do not agree on this issue,[33] it appears that Arizona does apply the usual meaning of "best interests of the child" to transfer proceedings.[34]

In transfer, as in placement proceedings, the "good cause to the contrary" standard comes into play. Although not defined by the Act, both the Act and the Guidelines are interpreted liberally in favor of deferring to tribal judgment in matters concerning their children.[35] According to the BIA Guidelines,[36] "good cause" not to transfer exists if the tribe does not have a tribal court. Additionally, "good cause" not to transfer *may* exist if any of the following come into play: (1) the proceeding was at an advanced stage when the petition to transfer was received, and the petitioner did not file the petition promptly after receiving notice of the hearing; (2) the Indian child is over twelve years of age and objects to the transfer; (3) the evidence necessary to decide the case could not be adequately presented in the tribal court without undue hardship to the parties or the witnesses,[37] or (4) the parents of a child over five years of age are not available, and the child has had little or no contact with the child's tribe or members of the child's tribe. The Commentary makes clear that "Socio-economic conditions and the perceived adequacy of tribal or Bureau of Indian Affairs social services or judicial systems may not be considered in a determination that good cause exists." Finally, the

burden of establishing good cause lies on the party opposing the transfer.

ICWA AND MODEL COURT

The so-called "Model Court" project proceeds under the mandate of the Adoptions and Safe Families Act of 1997 (ASFA) found at 42 U.S.C. § 620 *et. seq.* and 42 U.S.C. §670 *et seq.*, an amendment to Title IV-B and Title IV-E of the Social Security Act. However, as recently mentioned at a Model Court/ICWA seminar,[38] there is no such thing as "model court" any more in Arizona. The "model court" concept is up and running.

ASFA was enacted for several reasons, including the concern that the system was too biased in terms of keeping children with biological parents regardless of how harmful such environments may be to the children;[39] that children were languishing in foster care for sometimes years with no hope of permanency in sight, and to speed up the process from removal of the child from the home to the establishment of a permanent plan for the child within one year of removal. While ASFA's purposes and goals are well meaning, and in most cases appropriate, exposure to ASFA in Maricopa County thus far has shown that services mandated to be in place by the preliminary protective conference are in fact not in place. Other problems have also been observed; however, that is for another day.

Because the "model court" concept is rather new, this writer has been unable to uncover any case law regarding the interplay between ASFA and ICWA. Consequently, some of the following observations are taken from the materials and comments of Craig J. Dorsay, Esq., a nationally recognized expert on the Indian Child Welfare Act, who spoke at the Model Court/ICWA conference on July 30, 1999.

When ASFA was considered and enacted, it was enacted without reference to the Indian Child Welfare Act. Accordingly, ASFA does not affect ICWA requirements as they relate to notice, *active* efforts to reunify the family, placement preferences, right of tribal intervention, and transfer to tribal court proceedings; and ultimately, this may cause some degree of consternation among those seeking to meet the time lines and requirements of ASFA in ICWA cases. Likewise, it may cause an even greater degree of consternation when trying to terminate a Native American's parental rights.

Notice. Under current practice, the preliminary protective conference and preliminary protective hearing is held within five to seven days of the child's removal from the home. This is insufficient time to provide legal notice to anyone, and obviously, this does not comply with ICWA's notice requirements. However, the so-called "emergency removal" provision of ICWA seems to provide some support. Under section 1922 of the Act, a child may be removed from the parents on an emergency basis " . . . to prevent imminent physical damage or harm to the child." Section 1922 goes on to provide that, when that immediate danger is over, the child *must* be returned to his/her parents. According to section B.7 of the BIA Guidelines, this temporary emergency custody shall not be continued for more than 90 days without a determination by the court, supported by clear and convincing evidence and the testimony of at least one qualified expert witness that custody of the child by the parent or Indian custodian is likely to result in serious emotional or physical damage to the child.

Immediate involvement of the tribe is critical, but due to the expedited nature of the new proceedings, tribes are not getting sufficient notice in time to make a meaningful appearance at the preliminary protective conference/hearing, and in most cases, it is impossible for the tribe to appear at this initial proceeding. The information necessary to determine the tribe's interest is not being

provided timely, if at all. Every tribe keeps their records differently, and most are not computerized. The Navajo Nation, for example, files enrollment cards by family, and the Nation must know the area of the reservation involved.

To adequately verify whether the parent or child is a member or eligible for membership for ICWA to apply, the minimum information required is the names of the parents and child(ren), dates of birth, census numbers, and the grandparents' names. In addition, the tribe needs the dependency/severance petition, the supporting documentation, and investigative reports. According to a Navajo Nation representative, the Nation is being told they cannot have this information unless the Nation intervenes. The Navajo Nation is the only tribe who has an Intergovernmental Agreement (IGA) with the State of Arizona as required by ICWA. The IGA requires that the Nation receive this information. Even without an IGA in place, the idea that tribes cannot have the necessary information to allow them to determine if they are involved or should intervene is ludicrous. The necessary information, including the petition and all reports, should be furnished immediately to the tribe.

Aside from the problems presented by the new "model court" procedure, ICWA still requires notice to the tribe, the parent and/or Indian custodian as discussed above with the right to request an additional 20 days to prepare for a hearing. If notice is not properly and promptly given to the tribe, the entire procedure must be done twice.

Active Remedial Efforts *vis a vis* Severance. In this area AFSA and ICWA collide. Under AFSA reasonable remedial efforts are not required under four circumstances: (1) aggravated circumstances, e.g., abandonment, torture, chronic abuse, or sexual abuse of a child; (2) the parent previously had parental rights involuntarily terminated to a sibling to the child currently in custody; (3) the parent has committed or aided, abetted, attempted, conspired, or solicited to commit murder or voluntary manslaughter of the child or another child of the parent, or (4) the parent has committed a felony assault that results in serious bodily injury to the child or another child of the parent. AFSA requires a court order finding one of these circumstances exists before "reasonable efforts" may be terminated. This is *not* the case in ICWA cases.

Since AFSA does not override or supercede ICWA, the requirement of "active remedial efforts" still applies and can be terminated only when DES can meet *ICWA's legal standard* for filing a termination petition. Termination of active efforts may also be appropriate when a permanent out-of-home placement, e.g., guardianship, has been approved.

"Active efforts" include assisting the parent with enrolling in drug rehab programs, arranging for counseling, and exploring all services available to the parent – including tribal social services or other services available to Native American parents. Case managers should be told that limiting services to those provided directly by DES is *not* active efforts, and, as noted above, simply handing the number of ComCare to the parent is *not* active efforts.

Permanency Planning Hearing and Placement Preferences. Under AFSA, a permanency planning hearing is required to be held within one year after the child has entered foster care. At that hearing the so-called "permanent" plan for the child is approved. This plan can be return to/remain with parent, permanent guardianship, or severance and adoption. Under AFSA "long term foster care" does not appear to be an option, although realistically, it is the *only* plan in some cases. Throughout the entire court process, at the permanency planning stage and beyond, ICWA applies and continues to apply until the case is dismissed or the child is adopted.

In any permanency plan which provides for the child to remain out of the home, the ICWA

placement preferences apply and must be followed – absent good cause to the contrary. The placement preferences were listed above. Theoretically (but in practice, not very frequently), the CPS case manager should continue throughout the case to search for appropriate ICWA placements if the child is not already in such a placement. Limiting the search to the child's own Indian extended family or tribe is not enough: the search must include other Indian tribes both within and without the state.

Placement becomes particularly critical at the severance and adoption stage. If a diligent, active search for an appropriate ICWA placement has not been ongoing with good results, the Indian child may become "bonded" to a non-Indian family who subsequently wants to adopt the child. If absolutely no Indian placements are available, and the case manager can satisfy the court and counsel that active, diligent, ongoing efforts have been made to seek out and place the child with an Indian placement, this could constitute "good cause to the contrary" to avoid the placement preferences. However, if the case manager had not made active, diligent, and ongoing efforts to locate an appropriate ICWA placement, or has ignored an otherwise appropriate placement, the child, the parents, and the tribe are all impacted because "good cause to the contrary" cannot be proven, and the child may be moved to an Indian placement from a foster home where the child has lived for years. While this may seem to be a harsh result, nevertheless, it should be done under ICWA. At least one case has held that because an Indian child might initially experience emotional pain in being separated from his Caucasian foster family did not constitute good cause to defeat the ICWA placement preferences.[40] *M.T.S.* held that the Indian Child Welfare Act presumed that, in the adoptive placement of Indian children, the child's interests were best served by placement with an extended family member.

The placement preference is not simply legal jargon to be avoided wherever possible simply to get the child placed for adoption and the case closed. An Indian child's heritage, and consequently, his/her placement in a Native American family, has been shown to have far-reaching consequences to the child beyond the closing of the dependency case. When ICWA was first enacted, once expert wrote:

> When Goldstein et al. (1973) wrote *Beyond the Best Interests of the Child*, it became a milestone in the application of developmental knowledge on behalf of children in courts being placed in foster homes, given up for adoption, or being placed in the custody of one or another divorced parent: the overriding issue was that time did not stand still for the child and that the courts had to look at the developmental needs of a child to make attachments to parental figures in their determinations of child placement. The term "psychological parent" came to have special meaning in some courts. The disruption of these longstanding relationships could and did have serious repercussions for the child's subsequent development.
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> However, the use of these developmental principles involving early childhood needs did not take into account the long-term impact of placement and ignored the special cultural values of some children.

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> Thus, a new critical issue emerges. What may be advantageous developmentally for the small child may rob him of his cultural heritage and be devastating to him in his later development.
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> . . . Judges must learn to recognize that loss of ties with [a child's] tribal customs and culture leaves these children without an identity and can result in an adult life of estrangement from both worlds.[41]

These principles and observations have not changed in 21 years. A 1998 pilot study indicated that " . . . every Indian child placed in a non-Indian home for either foster care or adoption is placed at great risk of long-term psychological damage as an adult. Nineteen out of 20 Indian adoptees have psychological problems related to their placement in non-Indian homes, and these problems have developed into a syndrome, known as the "Split Feathers Syndrome."[42]

These concepts, although discussed under "placement preferences" should always be borne in mind when dealing with Indian children. It is clear from the studies that simply because an Indian child may do well initially in a non-Indian family does not mean that the child will not suffer severe psychological repercussions beginning in his/her adolescence, nor should the case manager conduct a half-hearted search for an appropriate Indian placement, or in the worst case scenario, ignore such a placement to conclude the case rapidly. Likewise, the court should not rush to avoid the ICWA placement preferences based on the "best interest of the child."

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1. 25 U.S.C. § 1901 and 1902.

2. *Yavapai-Apache Tribe v. Mejia*, 906 S.W.2d 152 (Tex. 1995).

3. 25 U.S.C. § 1911(a).

4. 25 U.S.C. § 1991 (a) and (b); *Native Village of Venetie I.R.A. Council v. Alaska*, 944 F.2d 548 (9th Cir. 1991).

5. *Mississippi Band of Choctaw Indians v. Holyfield*, 490 U.S. 30, 109 S.Ct. 1597, 104 L.Ed.2d 29 (1989).

6. 25 U.S.C. § 1911(c).

7. 25 U.S.C. § 1911(b).

8. *In the Matter of Maricopa County Juvenile Action No. 8287*, 171 Ariz. 104, 828 P.2d 1245 (1991).

9. *In the Matter of Hunter*, 888 P.2d 1241 (Or. 1995).

10. *In the Matter of Baby Boy Crews*, 803 P.2d 24 (Wa. 1991).

11. *In the Matter of Baby Boy Doe*, 902 P.2d 477 (Idaho 1995).

12. *In the Matter of Maricopa County Juvenile Action No. A-25525*, 136 Ariz. 528, 667 P.2d 228 (1983).

13. 25 U.S.C. §1912(a).

14. 25 U.S.C. §1912(a).

15. 25 U.S.C. §1911(c).

16. 25 U.S.C. §1912(c).

17. 25 U.S.C. §1912(f).

18. 25 U.S.C. §1912(d).

19. 1999 WL 16748 (Ariz.App.Div. 1), decided January 19, 1999.

20. *Rachelle S. v. DES*, 1998 WL 240159 (Ariz.App. Div. 1), decided May 14, 1998; *Matter of Maricopa County Juvenile Action No. JS-8287*, 171 Ariz. 104, 828 P.2d 1245 (1991).

21. *In the Matter of N.L., v. Moore*, 754 P.2d 863 (Okla. 1988), citing *State ex rel. Juvenile Department v. Charles*, 688 P.2d 1354 (Or. 1984)(quoting, House Report for the Indian Child Welfare Act, H.R. 1386, 95 Cong., 2d Sess. 22, Reprinted in 1978 U.S.Code Cong. And Admin.News 7530, 7545).

22. 25 U.S.C. §1915(b).

23. *D.H. v. State of Alaska*, 723 P.2d 1274 (1986).

24. *State ex rel. Juv. Dept. v. Charles*, 810 P.2d 393 (1991).

25. *Maricopa County Juvenile Action No. S-903*, 130 Ariz. 202, 635 P.2d 187 (1981).

26. *In re Junious M.*, 193 Cal. Rptr. 40, 144 Cal App 3d 786 (1983).

27. BIA Guidelines, §F.3, Commentary.

28. *Matter of S.E.G.*, 521 NW2nd 357 (Minn. 1994).

29. *See also Mississippi Band of Choctaw Indians v. Holyfield, supra.*

30. *In the Matter of the Appeal of Maricopa County Juvenile Action No. JD-6982*, 186 Ariz. 354, 922 P.2d 319 (1996).

31. *Id.*

32. *Id.*

33. *Yavapai-Apache Tribe v. Mejia, supra.*

34. *In the Matter of the Appeal in Maricopa County Juvenile Action No. 8287, supra.*

35. BIA Guidelines, §A.

36. Section C.3 Commentary.

37. *In the Matter of the Appeal in Maricopa County Juvenile Action No. 8287, supra.*, holding that the court may apply a modified version of *forum non conveniens* in transfer proceedings.

38. AFSA and ICWA, June 30, 1999.

39. Statements of various congresspersons found generally at 143 Cong.Rec.

40. *In re the Adoption of M.T.S.*, 489 N.W.2d 285 (Minn. 1992); *contra, In the Matter of Baby Boy Doe*, 902 P.2d 477 (Idaho, 1995).

41. Berlin, Irving N., M.D. *Anglo Adoptions of Native Americans: Repercussions in Adolescence.* 1978 American Academy of Child Psychiatry.

42. Locust, Carol, Ph.D. *Split Feathers: Adult American Indians who were placed in non-Indian families as children. Pathways*, Vol. 13, No. 4, September/October 1998.